



PATENT
FORSK 3.0-001 FWC CIP CONT FWC DIV

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent application of
Gautvik et al.

Serial No. 08/340,664

Filed: November 16, 1994

For: PRODUCTION OF HUMAN
PARATHYROID HORMONE FROM
MICROORGANISMS

:
:
: Group Art Unit:
:
:
: Examiner: S. Kim

: Date: January 24, 1995

RECEIVED

JUL 11 1995

GROUP 1800

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In complete response to the restriction requirement mailed April 7, 1995, applicants' hereby elect, albiet with traverse the Group No. I "invention encompassing" claims 1 through 5, 11, 13 and 15 drawn to a purified hPTH, classified in class 530 subclass 399. This election is made without prejudice to applicants' ability to proceed with regard to the non-elected claims in divisional applications and/or in this application if the restriction requirement is withdraw.

Applicants respectfully submit that the Patent Office has failed to carry its burden satisfying the requirements for a restriction requirement, particularly as to the Group I and Group II "inventions". As the Group I invention and Group II invention are identically classified and, as a search for the Group I would necessarily require the Examiner to consider compounds which might have import as to the Group II invention, and vice versa, it is respectfully submitted that a search for the claims of both grouped inventions are coextensive. Therefore, it should not

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231 on June 6, 1995

(Date)

(Signature)

Michael H. Teschner

Typed or Printed Name of Person Signing Certificate